

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: September 10, 2013
SUBJECT: BZA Case 18610, 1063 Rear Wisconsin Avenue, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following variance request for proposed Lot A:

- § 931.2, FAR (maximum 1.0 for nonresidential permitted, 1.58 proposed); and

OP recommends **approval** of the following variance request for proposed Lot B:

- § 931.2, FAR (maximum 1.0 for nonresidential permitted, 1.16 proposed).

II. LOCATION AND SITE DESCRIPTION

Address	1063 Rear Wisconsin Avenue, N.W.
Legal Description	Square 1199, Lot 48
Ward	2
Lot Characteristics	Rectangular alley lot with two historic structures
Zoning	W-1- moderate density waterfront district
Existing Development	Rear section of a restaurant and a vacant carriage building
Historic District	Georgetown
Adjacent Properties	North: Across Blue’s Alley, commercial structures fronting on M Street, South: C & O Canal East: Office building West: Retail and service establishments
Surrounding Neighborhood Character	Primarily a commercial district, including office, institutional and recreational uses



III. APPLICATION IN BRIEF

The applicant proposes to subdivide the subject property into two record lots. Improved with two historic structures, each building is proposed to be located on its own lot. With a floor area ratio of 1.33 the site is currently nonconforming for nonresidential FAR, and each proposed lot would be nonconforming to FAR if the site is subdivided as proposed, requiring an area variance for FAR for each lot. The lots would otherwise conform to the Zoning Regulations.

Proposed Lot A is improved with a single structure originally built as a carriage house and most recently used as a warehouse. It fronts on Blue’s Alley and is currently vacant. Proposed Lot B is also developed with a single structure and is used as the rear of Filomena’s Ristorante, which fronts on Wisconsin Avenue. Lot B would include the existing private alley, which would provide access to the building. The applicant would like to continue to use the structure on proposed Lot B for Filomena’s Ristorante, and be able to lease the building on proposed Lot A for any nonresidential use permitted within the W-1 District. No additions to either building are proposed; any future additions for non-residential use would require a new BZA relief request.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

W-1 Zone	Regulation	Existing	Proposed Lot A	Proposed Lot B	Relief
Height § 930	45-foot max.	25 feet	25 feet	25 feet	None required
Lot Width § 401	None prescribed	61.69 feet	48.60 feet	35.54 feet	None required
Lot Area § 401	None prescribed	8,266 SF	3,460 SF	4,806 SF	None required
Floor Area Ratio § 931	1.0 max. nonresidential; 2.5 max.	1.33 nonresidential	1.58 nonresidential	1.16 nonresidential	Required
Lot Occupancy § 932	100% max. nonresidential	75% nonresidential	100% nonresidential	58% nonresidential	None required
Rear Yard § 933	None prescribed for nonresidential	None	None	None	None required
Side Yard § 934	8-foot min., if provided	13 feet	None	None	None required

V. OFFICE OF PLANNING ANALYSIS

Variance Relief from § 931, Floor Area Ratio

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is developed with two historic structures in excess of the maximum FAR permitted for nonresidential use. Due to their historic nature the buildings cannot be reduced in size. They are commercial/industrial buildings

surrounded by commercial and office uses, including nightlife. Conversion of a portion of each building's area to residential would not be practical. The lots cannot be subdivided and used in conformance with the Zoning Regulations for FAR without the addition of residential use to each of the proposed lots.

ii. No Substantial Detriment to the Public Good

Approval of the variances would not result in substantial detriment to the public good. It would permit the use of each of historic structures within a commercial area for nonresidential uses.

iii. No Substantial Harm to the Zoning Regulations

There would be no substantial harm to the Zoning Regulations. The proposed variances would permit the nonresidential use of the existing buildings in their entirety.

The Historic Preservation Office had no comments on the application.

VI. COMMUNITY COMMENTS

ANC 2E, at its regularly scheduled meeting of September 3, 2013, had no objection to the application.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

Attachment: Location Map

